

# Exhibit 10

## Rahul Srinivas

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**From:** Tracey, Dennis H. <dennis.tracey@hoganlovells.com>  
**Sent:** Friday, February 9, 2024 12:20 PM  
**To:** Greg Wolfe  
**Cc:** Carter, Elizabeth C; Winter, William; Rahul Srinivas; David Moosmann  
**Subject:** RE: Sphere Motion to Dismiss  
**Attachments:** Gryphon - Stipulation and Order of Voluntary Dismissal.docx

Greg: Our client has instructed us to discontinue the claims subject to the motion to dismiss with prejudice. Attached is a proposed stipulation. Please sign and return it, or let me know if you have any comments.

We have reached out to our client on the return of the proceeds and will report back when we obtain any information. I understand that the client closed a transaction yesterday, so it may be next week before we hear back.

Regards,

### Dennis H. Tracey, III

One Americas Operations Partner

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New York, NY 10017

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Email: dennis.tracey@hoganlovells.com

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**From:** Greg Wolfe <greg@dnfllp.com>  
**Sent:** Thursday, February 8, 2024 12:51 PM  
**To:** Tracey, Dennis H. <dennis.tracey@hoganlovells.com>  
**Cc:** Carter, Elizabeth C <elizabeth.carter@hoganlovells.com>; Winter, William <william.winter@hoganlovells.com>; Rahul Srinivas <rsrinivas@dnfllp.com>; David Moosmann <dmoosmann@dnfllp.com>  
**Subject:** RE: Sphere Motion to Dismiss

### [EXTERNAL]

Dennis:

Can you please let me know what you want to meet-and-confer about specifically? I don't generally meet-and-confer on motions to dismiss after they have been filed. If you want an extension to respond, I would be happy to provide it.

Next, can you please answer my question, reiterated numerous times, regarding when Gryphon will be returning the proceeds? I have not heard any contention that Gryphon requires further information to calculate its fees from pre-October 6, 2023 and there has never been an argument that anything prevented Gryphon from transferring the proceeds post-October 6, 2023.

At this point, the only conclusion to be drawn is that this is pure, bad faith theft. If we have to bring an action for conversion, we will be seeking punitive damages, which the limitation of liability will not preclude. *I.C.C. Metals, Inc. v. Municipal Warehouse Co.*, 409 N.E.2d 849, 853 (N.Y. 1980) (“Although public policy will in many situations countenance voluntary prior limitations upon that liability which the law would otherwise impose upon one who acts carelessly . . . such prior limitations may not properly be applied so as to diminish one’s liability for injuries resulting from an affirmative and intentional act of misconduct . . . such as a conversion.”).

Finally, please cc my colleagues David and Rahul on communications.

Thanks,

**Greg Wolfe**

Partner

Dontzin Nagy & Fleissig LLP

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[greg@dnfllp.com](mailto:greg@dnfllp.com)

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**From:** Tracey, Dennis H. <[dennis.tracey@hoganlovells.com](mailto:dennis.tracey@hoganlovells.com)>

**Sent:** Wednesday, February 7, 2024 5:23 PM

**To:** Greg Wolfe <[greg@dnfllp.com](mailto:greg@dnfllp.com)>

**Cc:** Carter, Elizabeth C <[elizabeth.carter@hoganlovells.com](mailto:elizabeth.carter@hoganlovells.com)>; Winter, William <[william.winter@hoganlovells.com](mailto:william.winter@hoganlovells.com)>

**Subject:** RE: Sphere Motion to Dismiss

Greg: Following up on this. Thanks.

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**From:** Tracey, Dennis H.

**Sent:** Tuesday, February 6, 2024 3:51 PM

**To:** Greg Wolfe <[greg@dnfllp.com](mailto:greg@dnfllp.com)>

**Cc:** Carter, Elizabeth C <[elizabeth.carter@hoganlovells.com](mailto:elizabeth.carter@hoganlovells.com)>; Winter, William <[william.winter@hoganlovells.com](mailto:william.winter@hoganlovells.com)>

**Subject:** Sphere Motion to Dismiss

Greg: We’d like to have a call to discuss your motion to dismiss. Please let us know when you are available. Thanks. Dennis

**Dennis H. Tracey, III**

One Americas Operations Partner

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